

**UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF NEW HAMPSHIRE**

Paul Blackmer

v.

Civil No. 05-cv-340-PB

Warden, Northern New Hampshire
Correctional Facility

O R D E R

Pro se petitioner Paul Blackmer has filed a petition for a writ of habeas corpus and amendments thereto, pursuant to 28 U.S.C. § 2254, challenging his state court conviction and confinement (document nos. 1, 3-4, 11-18 and 33). The petition is before me for preliminary review. See Rule 4 of the Rules Governing Section 2254 Proceedings ("Habeas Rules") (requiring initial review to determine whether the petition is facially valid and may be served); United States District Court for the District of New Hampshire Local Rules 4.3(d) (authorizing the magistrate judge to preliminarily review pro se pleadings).

For the reasons stated in the report and recommendation issued simultaneously herewith, I order the petition served upon the respondent as to Grounds 1-4, 6-7, 9-12, 14-17, 19 and 22-25; I have recommended dismissal of the remaining grounds. See Habeas Rule 4. Accordingly, the petition shall be served on the

Warden of the Northern New Hampshire Correctional Facility, who shall file an answer or other pleading in response to the allegations made therein. See id. (requiring reviewing judge to order a response to the petition). The Clerk's office is directed to serve the New Hampshire Office of the Attorney General, as provided in the Agreement On Acceptance Of Service, copies of this order and accompanying report and recommendation, the order and report and recommendation of June 7, 2006 (document nos. 25 and 26) and the habeas corpus petition and amendments thereto (document nos. 1, 3-4, 11-18 and 33).

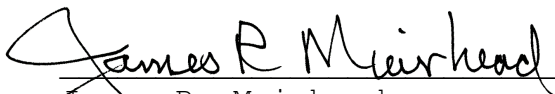
Respondent shall answer or otherwise plead within thirty (30) days of the date of this order. The answer shall comply with the requirements of Habeas Rule 5 (setting forth contents of the answer).

Upon receipt of the response, the Court will determine whether a hearing is warranted. See Habeas Rule 8 (providing circumstances under which a hearing is appropriate).

Petitioner is referred to Fed. R. Civ. P. 5, which requires that every pleading, written motion, notice, and similar paper, after the petition, shall be served on all parties. Such service

is to be made by mailing the material to the parties' attorneys.

SO ORDERED.



James R. Muirhead
United States Magistrate Judge

Date: September 7, 2006

cc: Paul Blackmer, pro se